

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS JAMES MORGAN-
DEROSIER, a/k/a NICHOLAS JAMES
MORGAN DEROSIER, a/k/a
NICHOLAS MORGAN DEROSIER,
a/k/a, NICK JAMES MORGAN-
DEROSIER

Defendant.

Case No. 3:22-cr-5

**PRELIMINARY ORDER
OF FORFEITURE**

WHEREAS, in the Indictment regarding the above case, the United States sought forfeiture of specific property of the defendant;

AND AS A RESULT of the guilty plea to Count One, Receipt and Distribution of Child Pornography, in violation of 18 U.S.C. §§ 2252A(a)(2)(A) and 2252A(b)(1), and to Counts Three through Eight, Possession of Materials Containing Child Pornography, in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2) (Doc. 27), together with the defendant's waiver of any rights to said property in the Plea Agreement (Doc. 132 ¶4), pursuant to 18 U.S.C. § 2253(a), the defendant shall forfeit to the United States of America all of his right, title and interest to:

1. Samsung Cellular Phone, Model SM-N960U, IMEI 355745091199852;
2. HP Laptop, Model 17by0063ci, SN: 5CG8494KK5;
3. 2 GB Lexar Thumb Drive, SN: 106A7811031153151006;
4. 16 GB Thumb Drive, SN: 0A7706178030;

5. Dell Inspiron 3656 D198M Desktop Computer, SN: 8W50X52;
6. Seagate 2 TB External Hard Drive, SN: 00000000NAB540HK; and
7. Samsung HDD 500 GB, SN: S2RSJ9BBA28470.

It is hereby ORDERED, ADJUDGED and DECREED:

1. That all of the defendant's right, title and interest in the following property is hereby forfeited, that the United States is hereby authorized to seize the following property at the time of sentencing, and it will be forfeited to the United States of America for disposition in accordance with the law, that being:

1. Samsung Cellular Phone, Model SM-N960U, IMEI 355745091199852;
2. HP Laptop, Model 17by0063ci, SN: 5CG8494KK5;
3. 2 GB Lexar Thumb Drive, SN: 106A7811031153151006;
4. 16 GB Thumb Drive, SN: 0A7706178030;
5. Dell Inspiron 3656 D198M Desktop Computer, SN: 8W50X52;
6. Seagate 2 TB External Hard Drive, SN: 00000000NAB540HK; and
7. Samsung HDD 500 GB, SN: S2RSJ9BBA28470.

2. That all of the aforementioned forfeited property is to be held in the custody and control of Department of Homeland Security - Homeland Security Investigations.

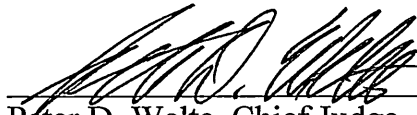
3. That the United States of America shall post Notice of Forfeiture on the official government internet site (www.forfeiture.gov) for at least thirty (30) consecutive days and notice that any person, other than the Defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

ORDERED this 29 day of September 2023.



Peter D. Welte, Chief Judge
United States District Court